

REMARKS

Status Of Application

Claims 1-15 are pending in the application. The status of the claims is as follows: Claims 1-15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,994,926 to Gordon et al ("Gordon").

Information Disclosure Statement

Please note that an Information Disclosure Statement, along with a PTO Form 1449, was filed on July 1, 1998, September 20, 2000, and February 12, 2002; however, we have not received a copy of the PTO Forms 1449 initialed by the Examiner. Enclosed are copies of the PTO-stamped postcards showing that the U.S. Patent and Trademark Office has received the Information Disclosure Statements and PTO Forms 1449 on July 1, 1998, September 26, 2000 and February 25, 2002, respectively. Acknowledgment of receipt of these documents is respectfully requested.

35 U.S.C. § 102(b) Rejection

The rejection of claims 1-15 under 35 U.S.C. § 102(b), as allegedly being anticipated by Gordon, is respectfully traversed based on the following.

In order for Gordon to anticipate claims 1-15, Gordon must disclose all of the requirements of each claim. As the following will show, Gordon fails to meet this threshold requirement. Specifically, although Gordon does disclose a device that is capable of deletion of confidential information, the Gordon device does not teach a device that deletes confidential data in response to completion of transmission of a notification to an origin or source.

The requirements of claim 1 include "a deletion means for deleting the confidential image data from the memory in response to a completion of transmission of said notification by the notification data transmission means." Thus, in accordance with the

apparatus of claim 1, confidential image data that is retained in the memory of a facsimile apparatus and not retrieved in a predetermined period of time is deleted in response to a completion of transmission of notification to the origin that indicates that the confidential image data has not been retrieved. This reduces the likelihood of deletion of a document that was not delivered without the knowledge of the sender.

Gordon fails to disclose or suggest a deletion means in accordance with claim 1. Specifically, whereas claim 1 provides a device that deletes confidential image data from memory responsive to completion of transmission of notification data to an origin, Gordon fails to disclose or suggest this feature.

Gordon discloses a facsimile transmission device that operates such that in the event that a communication is not transmitted to a destination, a "Transaction File" is sent back to the originating machine. Thereafter, the originator is given the option of dialing back into the system within a certain length of time (typically several hours) and instructing the destination Store And Forward Facilities ("SAFF") as to how to dispose of the document. Included among the choices for disposing of the document is the option to delete the document. Column 8, lines 53-62 of Gordon. Thus, Gordon discloses a device that deletes documents in response to an instruction by the originating user or sender.

Gordon also discloses deleting a document that has been retransmitted back to the originator, if no instructions regarding how to proceed are provided, within a specified period. Column 9, lines 25-34 of Gordon. Specifically, if a user fails to provide instructions regarding how to proceed with a message within a predetermined number of hours, the Gordon device deletes the message. Thus, Gordon also discloses deleting a document in response to the passing of a predetermined period of time.

Therefore, in accordance with the operation of the Gordon device, documents are deleted 1) in response to an instruction from a user and 2) in response to the passing of a predetermined period of time. However, it is unclear how the Gordon device operates in the event that some difficulty occurs and a report is not completely transmitted back to the originator of the document. In particular, Gordon does not disclose or suggest a device for

deleting documents in response to a completion of transmission to an origin; and further, it appears that the Gordon device deletes messages after a certain number of hours have passed regardless of whether or not the notification was indeed completely transmitted to the originator. In the device claimed in claim 1 on the other hand, image data is deleted in response to a completion of transmission of notification to a sender, thus reducing the likelihood of image data being deleted without the knowledge of the sender.

With reference to column 11, lines 50-60 of Gordon, the Office Action contends that this portion of Gordon clearly teaches deletion of confidential information.

Column 11, lines 50-60 of Gordon recites:

When messages are finally delivered to the destination machine they are not immediately erased from the spool file 88 at the destination SAFF. Rather, they are maintained in a "Delivered Message" directory 90 for a period of time (typically six hours). A feature offered by this action is the opportunity for the subscribing recipient of a message to make additional copies, redirect, or forward copies of selected messages to other destinations. This is accomplished by calling the Service Number and selecting the appropriate choices from the voice response menus.

Although the first sentence of this portion of Gordon may suggest that messages are eventually deleted from spool file 88, Gordon does not disclose or suggest that image data is deleted in response to the completion of transmission of notification data to the origin. Column 11, lines 50-60 pertains to the function of the Gordon device when messages have been delivered to a destination machine, and in particular, teaches maintaining a message that has been delivered to a destination in a "Delivery Message" directory 90 for a period of time (typically six hours), before erasing the message. Thus, this cited portion of Gordon does not address the function of deleting confidential image data from memory in response to a completion of transmission of notification to an origin indicating that confidential image data was not retrieved, as required in claim 1. Instead, this portion of Gordon discloses deleting a message in response to the passing of a predetermined period of time. Accordingly, there is nothing in column 11, lines 50-60 of Gordon that meets the requirement of a deletion means as required by claim 1.

Therefore, because the claimed feature of a deletion means for deleting the confidential image data from memory in response to a completion of transmission of the notification by the notification data transmission means is neither disclosed nor suggested by the Gordon patent, claim 1 is distinguished from Gordon.

Each of claims 2-10 depend from claim 1. Therefore, because Gordon fails to anticipate claim 1, the Gordon patent also fails to anticipate any of dependent claims 2-10.

Claim 11 requires a deletion means for deleting confidential image data from the memory in response to detection of proper completion of transmission of notification by a direction means. This feature is not disclosed in Gordon. As discussed above in the argument for claim 1 over the Gordon patent, Gordon discusses deleting messages when a certain number of hours have elapsed, or in response to an instruction from a user. However, Gordon does not disclose or suggest a deletion means for deleting data in response to detection of proper completion of transmission of notification indicating that confidential image data has not been outputted from memory. Accordingly, Gordon offers no teaching regarding a deletion means for deleting image data in response to detection of proper completion of transmission of the notification. Therefore, Gordon does not anticipate claim 11 because Gordon fails to disclose all of the element of claim 11.

Claim 12 depends from claim 11. Because claim 11 is not anticipated by Gordon, dependent claim 12 is also not anticipated by Gordon.

The method of claim 13 requires a step of deleting confidential image data from the memory in response to a detection of the proper completion of transmission of the notification. Such a step is not disclosed in Gordon. Particularly, Gordon does not disclose or suggest deleting data in response to a detection of proper completion of transmission of notification indicating that output has not occurred. Instead, Gordon discloses deleting messages after a certain amount of time has elapsed, or in response to a user instruction. Thus, Gordon does not anticipate claim 13.

Claim 14 depends from claim 13. therefore, claim 14 is also not anticipated by Gordon.

Claim 15 requires a device wherein a notification transmitter transmits a notification after a predetermined time if the confidential image data has not been retrieved, and the deleting apparatus deletes confidential image data when the confirmation apparatus confirms that the source has received the notification. Gordon fails to disclose a device which deletes confidential image data when it is confirmed that a source has received notification. In fact, according to the description of the Gordon device, either a user directs the Gordon device to take an action, like delete or retransmit, or the data is deleted after some predetermined time elapses without receipt of any confirmation that the source has received the notification. Thus, claim 15 is distinguished from Gordon and is not anticipated by Gordon.

Accordingly, it is respectfully requested that the rejection of claims 1-15 under 35 U.S.C. § 102(b), as allegedly being anticipated by Gordon, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

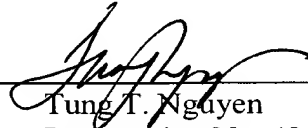
Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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